

STATE OF ILLINOIS)

COUNTY OF LAKE)

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

SARINA ERVIN)

Petitioner)

vs.)

RAYMOND ERVIN)

Respondent)

No. 00 D 2067

FILED

JUL 30 2004

[Signature]
CIRCUIT CLERK

ORDER GRANTING MOTION TO DISMISS

This matter coming on for hearing on the Respondent's Motion to Dismiss for lack of Subject Matter Jurisdiction and/or to Vacate the Order entered December 5, 2004 and January 2004, counsel for the respective parties present in open court and having presented their arguments, the court having reviewed the Motion, Response and Reply, and being fully advised in the premises;

FINDS:

1. The Uniform Interstate Family Support Act (UIFSA) is the proper vehicle to enforce a foreign judgment concerning a child support order.
2. That the Uniform Enforcement of Foreign Judgments Act (UEFJA) is not the proper Act under which to register a judgment of a foreign country. *In re Marriage of Paraskevas Agathos*, 94 Ill.App.3d 168, 170 (1st Dist. 1990).
3. Section 618 does exclude "a judgment for support in matrimonial or family matters." However, section 618 is part of the Uniform Foreign Money-Judgments Recognition Act (UFMJRA) and the UFMJRA also bars the Petitioner from registering the Canadian order under the Act.

IT IS THEREFORE ORDERED:

Respondent's Motion to Dismiss for lack of Subject Matter Jurisdiction and/or Vacate is granted.

ENTER:

[Signature]
Diane E. Winter
Judge

Dated at Waukegan, Illinois,
this 30th day of July, 2004.

Nancy C. Murphy via e-mail at NCMurphy@att.net

Marjorie Sher via e-mail at marjoriesherlaw@sbcglobal.net

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) SS
COUNTY OF LAKE)

IN THE CIRCUIT COURT OF THE
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SARINA ERVIN)

Petitioner)

Vs)

RAYMOND ERVIN)

Respondent)

Gen. No. 00D2067

IV-D No. C01166815

ORDER

This matter coming before the Court on FEBRUARY 8, 2001 for ENROLL JUDGMENT, the Petitioner () present, (X) not present, represented by IRENE H. CURRAN, Assistant State's Attorney, the Respondent (X) present () not present, () appearing pro se () represented by counsel:

IT IS HEREBY ORDERED:

- STATE NOT IN POSSESSION OF CERTIFIED ORDER IN ORDER TO ASK COURT TO ENROLL JUDGMENT.
- THIS CASE IS DISMISSED WITHOUT PREJUDICE.

ENTER:

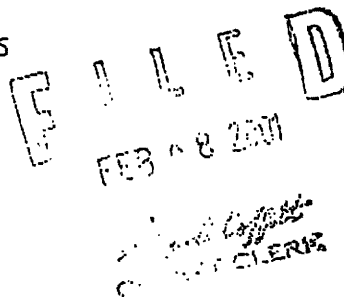
JUDGE

Dated at Waukegan, Illinois this: FEBRUARY 8, 2001.

Order prepared by:

IRENE H. CURRAN

Assistant State's Attorney
33 N. County Street, Suite 205
Waukegan, IL 60085



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